

EXHIBIT J

H-04750
SF - C. Peppian
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ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELIEZER LOPEZ and SUHAIL LAUREANO,

Plaintiffs

Case No. 17 Civ. 00181(LAP)

-against-

THE CITY OF NEW YORK, LUIS LINARES,
LUIS ANGELES, and JOHN DOES #1-3,

Defendants

-----X

Witness: JOHN MOISE

New York, New York

Tuesday, April 17, 2018

Reported by:
Ellen Sandles
Job 15827

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1 April 17, 2018

2 12:37 p.m.

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4 Deposition of JOHN MOISE, held at the
5 offices of Emery Celli Brinckerhoff & Abady, LLP,
6 600 Fifth Avenue, 10th Floor, New York, New York,
7 before Ellen Sandles, a Shorthand Reporter and
8 Notary Public of the State of New York.

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NYC LAW DEPARTMENT
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1 A P P E A R A N C E S:

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3 EMERY CELLI BRINCKERHOFF & ABADY, LLP

4 Attorneys for Plaintiffs

5 600 Fifth Avenue

6 New York, New York 10020

7 BY: ALI FRICK, ESQ.

8 E-mail: africk@ecbalaw.com

9

10 CORPORATION COUNSEL OF THE CITY OF NEW YORK

11 Attorneys for Defendants

12 100 Church Street

13 New York, New York 10007

14 BY: CAROLYN DEPOIAN, ESQ.

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18 ALSO PRESENT:

19 Julia Kuan, Esq., Romano & Kuan

20 Rachel Seligman, Esq., Corporation Counsel

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1 JOHN MOISE

2 Q. Did you talk to her about your meeting
3 with counsel?

4 MS. DEPOIAN: Objection.

5 A. No.

6 Q. So, let's just start by giving -- I'd
7 like to start by you giving a summary about what
8 you remember of that day, December 7, 2015, and
9 what you recall about responding to the scene of
10 the incident.

11 MS. DEPOIAN: Objection. Please ask
12 him a question.

13 Q. The question is, please describe what
14 you remember about the incident that day.

15 MS. DEPOIAN: That is not a question.
16 You can answer.

17 A. I responded to an officer distress
18 call. I got there and seen an individual laying
19 on the ground. I stood briefly and when
20 paramedics came, I left.

21 Q. Do you remember where this incident
22 took place?

23 MS. DEPOIAN: Objection.

24 A. Near Crotona Park.

25 Q. For the record when I say "this

1 JOHN MOISE

2 with you?

3 A. I don't recall.

4 Q. When you got down to the grassy area
5 and you saw the injured person, was there anyone
6 else there with the injured person?

7 A. I recall Officer Wooten.

8 Q. Anyone else?

9 A. There were people down there.

10 Q. There were others besides Officer
11 Wooten?

12 A. Yes.

13 Q. Did they have uniforms on?

14 A. Yes.

15 Q. Were they paramedics or police
16 officers?

17 A. Police officers.

18 Q. Do you recall roughly how many
19 officers?

20 A. I don't recall.

21 Q. I believe you testified earlier that
22 the injured man whose name is Mr. Lopez -- so I
23 will refer to him that way, is that okay?

24 A. Yes.

25 Q. I believe you testified earlier when